

REMARKS

Claims 1-24 are pending in the application.

Drawings

Applicants appreciate the Examiner's approval of the proposed change to Fig. 1 that was submitted on January 15, 2003. A corrected Fig. 1 is submitted with this Reply.

Reference numerals in Fig. 2 have been amended so that they are consistent with the disclosure in the specification. A corrected Fig. 2 is also submitted with this Reply.

It is respectfully requested that the corrected formal drawings be approved and made a part of the record of the above-identified application.

Claim Rejections - 35 U.S.C. § 102

Claim 17 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Bishop et al. (USP 5,351,988). This rejection is respectfully traversed.

Bishop discloses, in Fig. 1, a hybrid inflator having a cylindrical sleeve 14, a gas generator housing 52 attached to one end of the cylindrical sleeve 14, and a generator housing assembly 300 provided inside the cylindrical sleeve 14 and attached to the other end of the sleeve 14.

The gas generator housing 52 has an end cap 20 defining an opening 40 sealed by a burst disk 46 to prevent pressurized Ar gas 22 from flowing out of the sleeve 14. The burst disk 46 can be ruptured by a piston by activating a squib 204.

The generator housing assembly 300, containing propellant 320, has an end cap 16 defining a single opening 308. The opening 308 is formed in a portion of the end cap 16 where it extends in a direction perpendicular to a longitudinal direction of the generator housing assembly 300. When the propellant 320 is ignited upon activation of an initiator 320', combustion gas generated by the propellant 320 flows into the cylindrical sleeve 14 through the opening 308.

As stated in the foregoing, Bishop only has a single hole 308 in the end cap 16 where it extends in a direction perpendicular to a longitudinal direction of the generator housing assembly 300, and does not have "a plurality of ports formed along a longitudinal direction of the gas generator in a circumferential wall thereof extending along the longitudinal direction," as recited in claim 17. Accordingly, Bishop does not disclose or even suggest the "gas generator" as recited in claim 17.

The Examiner is respectfully requested to reconsider and withdraw this art grounds of rejection.

Claim Rejections - 35 U.S.C. § 103

(a) Claim 18 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop in view of Kanda et al. (USP 6,177,028). This rejection is respectfully traversed.

Claims 18, dependent on claim 17, is allowable at least for its dependency upon claim 17.

The Examiner is respectfully requested to reconsider and withdraw this art grounds of rejection.

(b) Claims 1-3, 5-11, 13-16, and 19-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop in view of Ludwig, et al. (USP 6,474,684). This rejection is respectfully traversed.

As stated in the foregoing with respect to claim 17, Bishop does not have "a plurality of ports formed along a longitudinal direction of the gas generator in a circumferential wall thereof extending along the longitudinal direction." Accordingly, Bishop does not disclose or even suggest the "gas generator" as recited in claim 1.

Ludwig is directed to a non-hybrid pyrotechnic filterless inflator which is totally different from the hybrid inflator of the claimed invention.

Moreover, Ludwig does not have an inflator housing that contains "pressurized medium therein," as recited in claim 1, and does not have "a plurality of ports formed along a longitudinal direction of the gas generator in a circumferential wall thereof extending along the longitudinal direction to establish a fluid communication between the gas generating chamber and an interior of the inflator housing," as recited in claim 1.

Therefore, even assuming, *arguendo*, that Bishop and Ludwig can be combined, Bishop in view of Ludwig fails to disclose or even suggest the "gas generator" as recited in claim 1.

Claims 2-3, 5-8, and 20-23, variously dependent on claim 1, are allowable at least for their dependency upon claim 1.

Claim 9 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

Claims 10-11 and 13-16, variously dependent on claim 9, are allowable at least for their dependency upon claim 9.

Claim 19 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

Claim 24 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw this art grounds of rejection.

(c) Claims 4 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop in view of Ludwig, and further in view of Kanda et al. (USP 6,177,028). This rejection is respectfully traversed.

Claim 4, variously dependent on claim 1, is allowable at least for its dependency upon claim 1.

Claim 12, variously dependent on claim 9, is allowable at least for its dependency upon claim 9.

The Examiner is respectfully requested to reconsider and withdraw this art grounds of rejection.

#### Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (Reg. No. 40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

Appl. No. 09/857,891

overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
for Terrell C. Birch, #19,382

TCB:MH/mh:pjh  
0425-0842P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: Two (2) replacement sheets of corrected  
formal drawings - Figs. 1 and 2